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# END THIS COURTROOM FARCE, FREE XANANA GUSMAO!
# INDONESIAN COURT SILENCES THE DEFENDANT

Xanana Gusmao, the East Timorese resistance leader on trial in an Indonesian court in Dili, the capital of occupied East Timor, was prevented from reading his defence today. After only eight minutes, as he reached page three of his 28-page statement, Xanana was ordered to stop by presiding judge, Hieronymus Godang, who alleged that his defence was "irrelevant to the case".

The prosecutor had already protested three times that Xanana was "not addressing the prosecution charges". There is nothing in Indonesian law to require the defendant to restrict himself to answering the charges.

The trial has no foundation in law as Indonesia's annexation of East Timor has not been recognised by the UN. The decision to charge the resistance leader with rebellion against the illegal occupation of his country is farcical. The prosecution also charged Xanana with unlawful possession of fircarms for which the maximum penalty is death. After preventing the defendant from reading his defence, the court said it will pass its verdict on Friday, 21 May. At an earlier session, the prosecutor asked the court to give Xanana a life sentence; later the Indonesian Attorney-General declared that there is nothing to stop the court from sentencing him to death.

Xanana told the court in the few minutes he was allowed to speak that the court has no jurisdiction to try him, that he rejects Indonesia's claim to have integrated East Timor and that he is not an Indonesian citizen. Hence claims that Xanana adopted a conciliatory attitude towards Indonesia following his capture are shown to be fabrications.

Speaking after hearing the news of today's developments, Carmel Budiardjo of TAPOL said:

> "The trial has been a farce from start to finish. The court's decision to prevent him from reading his defence means that it was a resounding indictment of Indonesia's occupation of East Timor. The trial should not be allowed to continue. Xanana must be freed without delay. His life is now in danger. Everything must be done to protect Xanana from his captors."

She called on the British Government and the European Community to protest strongly over today's events to the Indonesian Government and to press for Xanana's immediate release.

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Court to sentence captured East Timor rebel leader on May 21

JAKARTA, May 17 (AFP) - The court trying captured rebel leader Xanana Gusmao in the former Portuguese colony of East Timor will issue its verdict on May 21, the defense said after Monday's hearing marked by a row over Gusmao's defense statement.

"The verdict will be handed down on Friday," defense lawyer Sujono, quoting Chief Judge Hieronymus Godang, told AFP by telephone after the session, which heard Gusmao read part of his defense plea in Portuguese, followed by the full counter plea of the prosecution.

Sujono said Godang only allowed Gusmao to read three of the 28 pages of his plea after three protests from the prosecutor, who said his statements were not relevant to the charges.

"It is not a fair decision because there are no rules in the Indonesian criminal procedures code saying that the defendant's defense plea should be in accordance with the prosecutor's charges," Sujono said of the judge's decision.

He did not elaborate on the content of Gusmao's plea but said that it was about the issue of East Timor's integration into Indonesia, which the defendant said he did not recognize.

Gusmao was from 1979 until his arrest in November last year the head of the armed wing of the Fretilin pro-independence movement in East Timor.

Jakarta unilaterally declared East Timor its 27th province in 1976 after invading it the year before, but the United Nations and Portugal do not recognize Indonesian sovereignty over the territory.

Witnesses contacted Monday said security was more strict than on previous days and those attending the trial had to produce a permit from the police.

The sound system which usually relayed the court proceedings to people listening outside was also not working, they said.

Gusmao, whose trial started on February 1, faces charges of rebellion, conspiracy and trying to set up a separate state which all carry a maximum penalty of life imprisonment.

The illegal possession of firearms, a charge carrying the maximum penalty of death, is a subsidary accusation.

Last week Sujono asked the court to impose the lightest possible sentence, saying there was not enough evidence to prove two of the charges. The prosecution on April 26 demanded a life sentence for Gusmao.

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East Timor Rebel Leader Says Court Has No Right To Try Him

DILI, Indonesia (AP) -- East Timorese rebel leader Jose Alexandre Gusmao said Monday that the Indonesian court where he facing charges of undermining the government has no right to try him.

Gusmao said the trial was illegitimate because East Timor's annexation by Indonesia in 1976 has not been recognized by the United Nations, according to a brief translation of his defense in Portuguese released by the Dili district court after Monday's session.

East Timor was a Portuguese colony before Indonesia annexed it after intervening in a civil war. The U.N. still recognizes Portugal as the region's legitimate ruler.

Gusmao has admitted to the court that he was behind an anti-Indonesia demonstration in November 1991 that turned out bloody when Indonesian solders shot and killed dozens of protesters.

Prosecutor Endang Supardi has asked the court to give Gusmao a life sentence. The judges are expected to read their verdict in the next session May 21.

Gusmao, who led rebels seeking East Timor's independence, was captured last November. Indonesia says armed resistance has weakened since then, with only a few hundred armed rebels remaining.

East Timor's military commander, Col. Suntoro, said three members of the rebel group carrying pistols and ammunition surrendered to the military Friday in the district of Anero some 85 kilometers (53 miles) west of Dili.

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:BC-INDONESIA-TIMOR
Verdict on East Timor's Xanana due on Friday

JAKARTA, May 17, Reuter - An Indonesian court in Dili will deliver its verdict on captured East Timor rebel leader Xanana Gusmao on Friday after stopping him from reading most of his defence statement, a court official said on Monday.

"He was stopped after a few minutes. His defence was considered irrelevant by the judges," said the official, contacted by telephone.

The trial, lasting more than three months, has become a focus of international concern about human rights in the former Portuguese colony since its invasion by Indonesia in 1975.

Xanana was captured in November last year after leading the Fretilin guerrilla movement for an independent territory since the late 1970s.

He could theoretically face the death penalty if convicted of the illegal possession of firearms. But state prosecutors have demanded a life sentence for the more significant charge of leading a separatist movement.

Xanana is also accused of ordering a demonstration in the East Timorese capital Dili in November 1991. Indonesia says the protest led to an army shooting in which witnesses said up to 180 people died.

Xanana's trial was suspended earlier this month after he insisted on reading his defence plea in Portuguese. Witnesses said the rebel leader had also contradicted his earlier assertion at the start of the trial in February that he was an Indonesian citizen.

Indonesian judges finally allowed him to read his defence but stopped him after about eight minutes as officials considered most of the material was irrelevant, the official said.

Local military chief Colonel Suntoro said on Monday that three East Timorese rebels have surrendered to the Indonesian armed forces,

The official news agency Antara quoted him as saying the three gave themselves up in a village south of Dili on Saturday.

Several dozen guerrillas have given themselves up since the capture of Xanana last November. More than 100 Fretilin guerrillas remain at large, the army says.

Indonesia invaded East Timor in 1975 after the departure of its Portuguese colonial ruler and annexed it the following year, a move not recognised by the United Nations.

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